

**Filed**

JUL 11 2008

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

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**RICHARD W. WIEKING**  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

UNITED STATES OF AMERICA

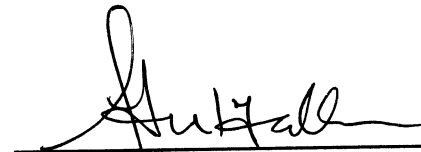
v.

**WAIVER OF INDICTMENT**

ATUL MALHOTRA,

CASE NUMBER: CR 08-00423-JF

I, ATUL MALHOTRA, the above-named defendant, who is accused of Theft of Trade Secrets, in violation of 18 U.S.C. § 1832(a)(2), being advised of the nature of the charges, the superseding information, and of my rights, hereby waive in open court on July 11, 2008, prosecution by indictment and consent that the proceeding may be by information rather than by indictment.

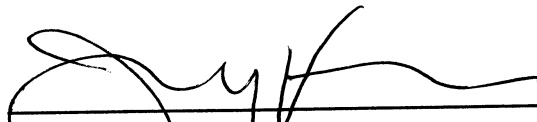


ATUL MALHOTRA  
*Defendant*



JOHN D. VANDEVELDE  
*Counsel for Defendant*

Before

  
HON. JEREMY FOGEL  
UNITED STATES DISTRICT JUDGE